

Docket No.  
42365-00590

# Declaration For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### "ENHANCED PDE SELECTION"

the specification of which

(check one)

is attached hereto.

was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

### Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/796,972

March 1, 2001

Pending

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first Inventor <b>Steven P. Nowak</b>	Sole or first Inventor's signature <i>Steven P. Nowak</i>	Date <b>12/15/01</b>
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Full name of second inventor, if any	
Second Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of third inventor, if any	
Third Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth Inventor, if any	
Fourth Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

NOWAK

Serial No.: Not yet Assigned

Filed: February 6, 2002

Atty. File No.: 42365-00590

For: "Enhanced PDE Selection"

) Group Art Unit: Not Yet Assigned  
)  
) Examiner: Not Yet Assigned  
)  
) CLAIM FOR SMALL ENTITY STATUS  
) UNDER RULE 1.27  
)

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON FEBRUARY 7, 2002.

MARSH FISCHMANN & BREYFOGLE, LLP

BY: \_\_\_\_\_ DAXMARA SANCHEZ

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The applicant in the present application is a small entity and hereby claims Small Entity Status.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Kenneth J. Johnson, Esq.

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Date: February 7, 2002